



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

Donald R. van der Vaart
Secretary

CERTIFIED MAIL
Return Receipt Requested

May 13, 2015

Mr. Walker Allen, Chief Compliance Officer
Elementis Specialty Products
469 Trenton Road
East Windsor, New Jersey 08512

Re: Planters Chemical
616 Commerce Street
Fayetteville, Cumberland County, NC
NONCD0002909

Dear Mr. Walker:

On October 27, 2014, the Inactive Hazardous Sites Branch (Branch) sent you the attached letter concerning the former Planters Chemical facility (the "Site") located at 616 Commerce Street in Fayetteville, North Carolina. As shown in the letter, the Branch requested the completion and submittal of a Site Conditions Questionnaire (Questionnaire) within 60 days and a response as to whether Elementis was willing to conduct a voluntary site assessment and cleanup at the Site. To date the Branch has not received the completed Questionnaire or any response to the October 27 letter.

Please complete and return the attached Questionnaire by June 30, 2015 to me at the following address:

P. Sean Boyles, Hydrogeologist
Inactive Hazardous Sites Branch
225 Green Street, Suite 714
Fayetteville, NC 28301

Should you have any questions or concerns, please feel free to contact me at (910) 433-3343.

Sincerely,

P. Sean Boyles, PG
Division of Waste Management, NCDENR

Attachments-October 27, 2014 NORR & Questionnaire

Fayetteville Regional Office, 225 Green Street, Suite 714, Fayetteville, NC 28301
Phone: 910-433-3300 \ Internet: www.ncdenr.gov



North Carolina Department of Environment and Natural Resources
Division of Waste Management

Pat McCrory
Governor

John E. Skvarla, III
Secretary

October 27, 2014

Mr. Walker Allen, Chief Compliance Officer
Elementis Specialty Products
469 Old Trenton Road
East Windsor, New Jersey 08512

Re: Information on Voluntary Cleanup Procedures and Notice of Regulatory Requirements
Planters Chemical
Fayetteville, Cumberland County, NC
NONCD0002909

Dear Mr. Allen:

The Inactive Hazardous Sites Branch (Branch) of the NC Division of Waste Management has recently learned that Elementis Specialty Products is the successor company to Planters Chemical Company (Planters) which was a Division of the Thompson-Hayward Chemical Company. Based on information from the NC Directory of Manufacturing Firms, Planters operated a facility at 616 Commerce Street in Fayetteville, NC (the "Site") from approximately 1960 to 1976. Information also shows that this facility may have manufactured the insecticide Lindane at the Site.

In December 2012, the Site was referred to the Branch because Lindane and other agricultural chemicals were detected in groundwater during an investigation of a petroleum release at the former Square Deal Package Store which was subsequently located on the same property but with the address 610 Robeson Street, Fayetteville, NC. This letter is to go over procedures to ensure any immediate exposure to contaminants is addressed and to provide you with information on our voluntary party site cleanup program and regulatory requirements for cleanup.

First, to identify any immediate exposure risks, a Site Conditions Questionnaire, available on our website noted at the end of this letter, should be completed and returned to this office. The information you provide will be reviewed along with other information to determine if any immediate actions are necessary, so it is important that the information you provide is complete and accurate.

Fayetteville Regional Office, 225 Green Street, Suite 714, Fayetteville, NC 28301
Phone: 910-433-3343 \ Internet: <http://portal.ncdenr.org/web/wm>

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Depending on the degree of hazards present, immediate response actions (by responsible parties or owners or by the State, when no financially-viable responsible parties exist) may be necessary to abate current exposure to contamination. At higher risk sites, the Division of Waste Management (Division) will directly oversee and approve testing and cleanup work conducted by responsible parties and owners. At sites the Division determines are not the highest risk, we have a privatized oversight program to help expedite approval of voluntary party contaminant cleanup actions. This program is called the Registered Environmental Consultant (REC) Program. The REC Program was established to remove a bottleneck for approval caused by limited state staff available for oversight of cleanup actions. The Division must apply its staff resources toward working on the highest risk sites first. The technical requirements are the same regardless of whether an REC or state staff oversee and approve the work.

For voluntary cleanup actions under the REC Program, the remediating party hires an REC, a firm that has been approved by the state to implement a cleanup and certify that the work is being performed in compliance with state regulations. In other words, the REC is authorized to provide oversight of the cleanup in place of the Division. Details regarding the REC Program can be found at <http://portal.ncdenr.org/web/wm/sf/ihs/recprogram>.

The advantages of participating in a voluntary assessment and/or cleanup under an agreement with the Division (with state staff or REC oversight) include: 1) removal of this site from the NC Sites Priority List of inactive hazardous sites and 2) eligibility for a cap on cleanup costs a party is obligated to pay if that party enters into an agreement with the Division. The REC Program also has the advantage of an expedited cleanup process as the REC has the authority to certify completion of work phases without having to wait for state concurrence. Because the costs to clean up contaminated materials continue to increase and because uncontrolled contamination may move and expand over time, immediate action taken at your property now could help to reduce cleanup costs and may prevent future damage to adjacent properties. Of even more concern, uncontrolled migration of groundwater contamination can lead to potential exposure by contaminating drinking water wells in the area, discharging to the surface on other properties and vapors from the contaminated groundwater entering homes and other structures. For those sites where the degree and extent of contamination at the site is relatively minor, it is possible that only a limited amount of assessment and/or cleanup would be required in order to receive a "No Further Action" declaration from the state.

Regardless of your plans for voluntary remedial action, if you have not already done so, you must take the immediate abatement actions to terminate and control the contaminant discharge, and mitigate any hazards resulting from exposure to the pollutants as required by state regulations under 15A NCAC 2L. Beyond these initial abatement actions, all assessment and remediation will be done through the Inactive Hazardous Sites Response Act.

Please return the completed Site Conditions Questionnaire, within sixty (60) days, to my attention. In your response, please also indicate whether you are willing to conduct a voluntary site assessment and/or cleanup. Information regarding the Inactive Hazardous Sites Program can be found at <http://portal.ncdenr.org/web/wm/sf/ihome>. Please provide all future documents submitted in relation to this work in both paper and in an electronic format (pdf), unless specified by staff to supply only electronic copies. If you have additional questions, please contact me at (910) 433-3343.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Sean Boyles". The signature is fluid and cursive, with the first name "P. Sean" and last name "Boyles" clearly distinguishable.

P. Sean Boyles, P.G.

Division of Waste Management, NC DENR

Site Conditions Questionnaire

This form should be completed by owners and other parties with information to identify potential contaminant exposure concerns, regardless of whether planning a voluntary contaminant assessment or cleanup action at the site. Parties interested in volunteering for Branch-approved remedial actions should prepare this form with the assistance of an environmental consultant and complete the certifications attached to this form. Please answer all questions, based on current information, and provide written descriptions where needed.

NCDENR Site Name, City and County _____

1. Is the site located on or immediately adjacent to residential property, schools, day-care centers or other sensitive populations? ☐ Y ☐ N

If yes, please explain on a separate page.

2. What is the distance (from site property line) to the nearest residence, school or daycare center? Please attach a map showing the site and nearest residence, school or day-care center. _____

3. Is the site completely surrounded by a locked fence? ☐ Y ☐ N

If no, please explain security measures at the site on a separate page.

4. Are site surface soils known to be contaminated? ☐ Y ☐ N

If yes, or unknown, describe briefly on a separate page.

5. Is site groundwater known to be contaminated? ☐ Y ☐ N

If yes, or unknown, describe briefly on a separate page.

6. Is site sediment or surface water known to be contaminated? ☐ Y ☐ N

If yes, or unknown, describe briefly on a separate page.

7. Has groundwater contamination affected any drinking water wells? ☐ Y ☐ N

If yes, or unknown, please explain on a separate page.

8. What is the distance to the nearest drinking water well or other potable well (for example, irrigation wells and industrial process wells)? _____

9. What is the distance to the nearest down-gradient drinking water well or other potable well (for example, irrigation wells and industrial process wells)? _____

10. What is the distance to the nearest downstream surface water intake used as a water source? _____

11. Are hazardous vapors, air emissions or contaminated dust suspected to be migrating into residential, commercial or industrial areas? ☐ Y ☐ N

If yes, or unknown, please explain on a separate page.

12. Have hazardous substances known to have migrated off property at concentrations in excess of Branch unrestricted-use remediation goals? ☐ Y ☐ N

If yes, or unknown, please explain on a separate page.

13. Has the local community expressed concerns about contamination at the site? ☐ Y ☐ N

If yes, or unknown, please explain on a separate page.

Site Conditions Questionnaire (Cont.)

14. Based on current information, are there any sensitive environments located on the property (potential sensitive environments are listed in the Remedial Investigation Work Plan section of the IHSB "Guidelines for Assessment and Cleanup" which can be found on the IHSB web page under the Guidance link)? ☐ Y ☐ N

If yes, or unknown, please explain on a separate page.

15. Based on current information, has the contamination from the site migrated into any sensitive environments? ☐ Y ☐ N

If yes, or unknown, please explain on a separate page.

16. Do site contaminants include radioactive or mixed radioactive and chemical wastes? ☐ Y ☐ N

If yes, or unknown, please explain on a separate page.

Remediating Party Certification Statement

After first being duly sworn or affirmed, I, _____, hereby state that: I am over the age of eighteen, I am competent to make this certification based upon my own personal knowledge and belief, and, to the best of my knowledge and belief, after thorough investigation, the information contained herein is accurate and complete. I am aware that there are significant penalties for willfully submitting false, inaccurate or incomplete information.

(Signature of Remediating Party Representative)

(Date)

(Printed Name and Title of Remediating Party Representative)

(Printed Name of Company)

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public of said County and State, do hereby certify that _____ personally appeared before me this day, produced proper identification in the form of _____, was duly sworn and/or affirmed, and declared that he or she is the owner of the property referenced above or is a duly authorized agent of said owner and that, to the best of his or her knowledge and belief, after thorough investigation, the information contained in the above certification is accurate and complete, and he or she then signed this Certification in my presence.

WITNESS my hand and official seal the _____ day of _____, 200____.

Notary Public (signature)

(OFFICIAL SEAL)

My commission expires: _____

Environmental Consultant Certification Statement

After first being duly sworn or affirmed, I, _____, hereby state that: I am over the age of eighteen, I am competent to make this certification based upon my own personal knowledge and belief, and, to the best of my knowledge and belief, after thorough investigation, the information contained herein is accurate and complete. I am aware that there are significant penalties for willfully submitting false, inaccurate or incomplete information.

(Signature)

(Date)

(Printed Name)

(Printed Name of Environmental Consultant)

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public of said County and State, do hereby certify that _____ personally appeared before me this day, produced proper identification in the form of _____, was duly sworn and/or affirmed, and declared that he or she is an environmental consultant for the property referenced above and that, to the best of his or her knowledge and belief, after thorough investigation, the information contained in the above certification is accurate and complete, and he or she then signed this Certification in my presence.

WITNESS my hand and official seal the _____ day of _____, 200____.

Notary Public (signature)

(OFFICIAL SEAL)

My commission expires: _____